

REMARKS

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 43-48 are now present in the application. Claim 43 has been amended. Claim 43 is independent. Reconsideration of this application, as amended, is respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 43-48 stand rejected under 35 U.S.C. § 103(a) as being anticipated by Iwanaga, U.S. Patent No. 5,739,946, in view of Kaneko, U.S. Patent Application Publication No. US 2005/0053227. This rejection is respectfully traversed.

In light of the foregoing amendments, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claim 43 has been amended to recite a combination of elements including "a pair of substrates with a preset gap therebetween; a pair of conducting layers disposed on opposing surfaces of the substrates; a polymer-gel sheet of a first color disposed between the substrates, contacting no more than one of the substrates, having two fixed ends and a flexible center area; a pair of conducting spacers disposed between at least one of conducting layers and the polymer-gel sheet; and a fluid layer of a second color between the substrates, displaying the second color via the substrate not contacting the polymer-gel sheet, wherein the center area of the polymer-gel sheet flexes toward the substrate originally not contacted thereby when an external electric field is applied, such that the first color of the polymer-gel sheet is displayed via the substrate after the polymer-gel sheet and the substrate make contact." Support for the amendments to claim 43 can be found at least

in FIG. 5 and on page 12, lines 1-4 of the specification as originally filed. Applicants respectfully submit that the above combination of elements as set forth in amended independent claim 43 is not disclosed nor suggested by the reference relied on by the Examiner.

In particular, Iwanaga in col. 9, lines 5-15 and FIG. 3 discloses that the film-like functional gel 3 is surrounded by the side walls 2 having an upper electrode 7 and a lower electrode 6. However, Iwanaga nowhere teaches or suggests the spacers disposed between the film-like functional gel 3 and the electrodes 6, 7. In addition, since the side walls 2 are made of a resin or the like, the side walls 2 are non-conducting side walls. Therefore, Iwanaga fails to teach “a pair of conducting spacers disposed between at least one of conducting layers and the polymer-gel sheet” as recited in claim 43.

Kaneko also fails to cure the deficiencies of Iwanaga. In particular, Kaneko in FIG. 6 and paragraphs [0131]-[0138] discloses that the flexible thin film 112 is fixed by the connecting spacer 121. With respect to the material of the connecting spacer 121, Kaneko in paragraph [0138] simply discloses “[v]arious kinds of materials can be considered as raw material for the respective connecting spacers 110, 120, 121. If easiness of manufacturing is taken into account, particularly, material can be fused with heat and patterned by photolithography method is preferred.” In other words, Kaneko nowhere discloses that the spacer 121 is a conducting spacer. Therefore, Kaneko fails to teach “a pair of conducting spacers disposed between at least one of conducting layers and the polymer-gel sheet” as recited in claim 43.

Accordingly, neither of the references utilized by the Examiner individually or in combination teaches or suggests the limitations of amended independent claim 43 or its

dependent claims. Therefore, Applicants respectfully submit that claim 43 and its dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103 are respectfully requested.

CONCLUSION

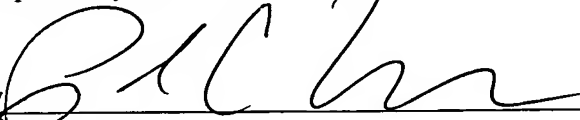
It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Cheng-Kang (Greg) Hsu, Registration No. 61,007 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: March 9, 2009

Respectfully submitted,

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